

*[No Minutes Were Generated on Tuesday, November 9, 1999.]*

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**SUPREME COURT MINUTES  
WEDNESDAY, NOVEMBER 10, 1999  
SAN FRANCISCO, CALIFORNIA**

S081969      People, Respondent  
2nd Dist.      v.  
B119987      Luis Amador, Appellant  
Div. 1      Respondent's petition for review GRANTED.

George, C.J.  
Baxter, J.  
Chin, J.  
Brown, J.

S082079      People, Respondent  
4th Dist.      v.  
D030583      Anthony Quinn Bowden, Appellant  
Div. 1      Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Williams*, S076262 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S082111      Ronnie Barnes, Petitioner  
2nd Dist.      v.  
B124720      Workers' Compensation Appeals Board et al., Respondents  
Div. 3      Petition for review GRANTED.

George, C.J.  
Mosk, J.  
Kennard, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S082133      State Compensation Insurance Fund, Petitioner  
4th Dist.      v.  
G025861      Orange County Superior Court, Respondent  
Div. 3      Schaefer Ambulance Service, Inc. et al., Real Parties in Interest  
                Petition for review GRANTED.  
                Respondent superior court is ordered to show cause before this  
                court, when the matter is placed on calendar, why the relief sought in  
                the petition should not be granted.  
                The return shall be filed on or before December 10, 1999.

George, C.J.  
Kennard, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S082242      Amelia Monarrez, Respondent  
2nd Dist.      v.  
B122160      Haralambos Beverage Company et al., Appellants  
Div. 5      Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Armendariz v. Foundation Health Psychcare Services, Inc.*, S075942 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S082261      Gilbert Dreyfuss et al., Appellants  
2nd Dist.      v.  
B119114      Union Bank of California, Respondent  
Div. 5      Petition for review GRANTED.

George, C.J.  
Mosk, J.  
Kennard, J.  
Brown, J.

S083194      The Senate of the State of California et al., Petitioners

v.

Bill Jones, etc. et al., Respondents

Edward J. Costa, Real Party in Interest

Respondents and Real Party in Interest are ordered to show cause before this court at its courtroom on 300 South Spring Street, Los Angeles, California, on December 8, 1999, at 9:00 am, why the relief sought in the petition for writ of mandate should not be granted.

The return is to be filed in the San Francisco office of the Supreme Court on or before Friday, November 19, 1999.

A reply may be filed in the San Francisco office of the Supreme Court on or before Wednesday, November 24, 1999.

Any application to file an amicus curiae brief accompanied by the proposed brief must be filed on or before Wednesday, November 24, 1999, and any reply to an amicus curiae brief may be filed on or before Monday, November 29, 1999, in the San Francisco office of the Supreme Court.

George, C.J.

Mosk, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S060895 People, Respondent

2nd Dist. v.

B099664 Anthony Darnell Barker, Appellant

Div. 4

The above-entitled review is hereby transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Jefferson* (1999) 21 Cal.4th 86.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S061647 People, Respondent

2nd Dist. v.

B096306 Albert Alaimalo, Appellant

Div. 7

The above-entitled review is hereby transferred to the Court of Appeal, Second Appellate District, Division Seven, with directions to vacate its decision and to reconsider the cause in light of *People v. Jefferson* (1999) 21 Cal.4th 86.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S062147 People, Respondent

5th Dist. v.

F024902 Raymond L. Diaz, Appellant

The above-entitled review is hereby transferred to the Court of Appeal, Fifth Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Hendrix* (1997) 16 Cal.4th 508.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S064804 People, Appellant

2nd Dist. v.

B097689 Ernesto Pedro Perez et al., Appellants

Div. 3

The above-entitled review is hereby transferred to the Court of Appeal, Second Appellate District, Division Three, with directions to vacate its decision and to reconsider the cause in light of *People v. Jefferson* (1999) 21 Cal.4th 86.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S064917 People, Respondent

1st Dist. v.

A075253 David Winston Gainey, Appellant

Div. 4

The above-entitled review is hereby transferred to the Court of Appeal, First Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Allen* (1999) 21 Cal.4th 424; compare *id.* at pp. 443-444, fn. 7 with *id.* at p. 446 (Conc. opn. of Baxter, J.)

George, C.J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S065192 People, Respondent

2nd Dist. v.

B107094 Kenneth Godoy et al., Appellants

Div. 4

The above-entitled review is hereby transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Jefferson* (1999) 21 Cal.4th 86.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S067779 People, Respondent

1st Dist. v.

A076392 Josiah Cheston Barra et al., Appellants

Div. 1 The above-entitled review is hereby transferred to the Court of Appeal, First Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Jefferson* (1999) 21 Cal.4th 86.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S068088 People, Respondent

2nd Dist. v.

B109247 Robert Charles Scherrer, Appellant

Div. 4 The above-entitled review is hereby transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Jefferson* (1999) 21 Cal.4th 86.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.



S068312 People, Respondent

1st Dist. v.

A074574 Richard Edward Wright, Jr., Appellant

Div. 4 The above-entitled review is hereby transferred to the Court of Appeal, First Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Jefferson* (1999) 21 Cal.4th 86.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S068729 People, Respondent

3rd Dist. v.

C025164 David Rizo, Appellant

The above-entitled review is hereby transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Allen* (1999) 21 Cal.4th 424.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S068743 People, Respondent

4th Dist. v.

D027176 David Lewis Cornelius, Appellant

Div. 1

The above-entitled review is hereby transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Jefferson* (1999) 21 Cal.4th 86.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S075158 People, Respondent

6th Dist. v.

H017022 Wayne Andrew Whitworth, Appellant

The above-entitled review is hereby transferred to the Court of Appeal, Sixth Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Allen* (1999) 21 Cal.4th 424.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S076008 People, Respondent

4th Dist. v.

E019743 Arabian Nkimotu, Appellant

Div. 2

The above-entitled review is hereby transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Jefferson* (1999) 21 Cal.4th 86.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S077367 People, Respondent

2nd Dist. v.

B115370 Kenneth G. Dozier, Appellant

Div. 7

The above-entitled review is hereby transferred to the Court of Appeal, Second Appellate District, Division Seven, with directions to vacate its decision and to reconsider the cause in light of *People v. Jefferson* (1999) 21 Cal.4th 86.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S011206 People, Respondent

v.

George Hatton Smithey, Appellant

Appointed counsel for death row inmate George Hatton Smithey represents that she will submit to the United States Supreme Court a timely filed petition for writ of certiorari seeking review of this court's decision affirming the judgment of death. Moreover, appointed counsel has filed a capital-related petition for writ of habeas corpus on behalf of George Hatton Smithey in this court, and the disposition of that petition is pending. Accordingly, the application for stay of execution is granted and execution of the judgment of death entered against George Hatton Smithey by the Calaveras Superior Court, and affirmed by this court on July 1, 1999 (20 Cal.4th 936), is hereby stayed pending the last to occur of the following: final determination of any timely filed petition for writ of certiorari in the United States Supreme Court, and this court's disposition of George Hatton Smithey's capital-related petition for writ of habeas corpus. If the petition for writ of habeas corpus is denied, and if a petition for writ of certiorari is not submitted within the time prescribed, this stay will terminate when the time for submitting such petition has expired.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S025423 People, Respondent

v.

Ricky Lee Earp, Appellant

Appointed counsel for death row inmate Ricky Lee Earp represent that they will submit to the United States Supreme Court a timely filed petition for writ of certiorari seeking review of this court's decision affirming the judgment of death. Moreover, appointed counsel have filed a capital-related petition for writ of habeas corpus on behalf of Ricky Lee Earp in this court, and the disposition of that petition is pending. Accordingly, the application

for stay of execution is granted and execution of the judgment of death entered against Ricky Lee Earp by the Los Angeles Superior Court, and affirmed by this court on June 24, 1999 (20 Cal.4th 826), is hereby stayed pending the last to occur of the following: final determination of any timely filed petition for writ of certiorari in the United States Supreme Court, and this court's disposition of Ricky Lee Earp's capital-related petition for writ of habeas corpus. If the petition for writ of habeas corpus is denied, and if a petition for writ of certiorari is not submitted within the time prescribed, this stay will terminate when the time for submitting such petition has expired.

George, C.J.  
Mosk, J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S063653      People, Petitioner  
4th Dist.      v.

D028938      San Diego County Superior Court, Respondent  
Div. 1      James Meridith Branham, Real Party in Interest

Pursuant to rule 29.4(c), California Rules of Court, the above-entitled review is DISMISSED and cause is remanded to the Court of Appeal, Fourth Appellate District, Division One.

George, C.J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S067199 People, Respondent

6th Dist. v.

H016119 Sa Hoang Tran, Appellant

Pursuant to rule 29.4(c), California Rules of Court, the above-entitled review is DISMISSED and cause is remanded to the Court of Appeal, Sixth Appellate District.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S069616 People, Respondent

1st Dist. v.

A079196 Todd James Maupin, Appellant

Div. 2 Pursuant to rule 29.4(c), California Rules of Court, the above-entitled review is DISMISSED and cause is remanded to the Court of Appeal, First Appellate District, Division Two.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S073792 People, Respondent

1st Dist. v.

A078082 Dedric Blount, Appellant

A082548 -----

Div. 2 In re Dedric Blount on Habeas Corpus

Pursuant to rule 29.4(c), California Rules of Court, the above-entitled review is DISMISSED and cause is remanded to the Court of Appeal, First Appellate District, Division Two.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S082909 In re William Eugene Campbell  
on  
Habeas Corpus

Pursuant to written request of petitioner, the above entitled petition for writ of habeas corpus is ordered withdrawn.

S068655 In re Daniel Steven Jenkins  
on  
Habeas Corpus  
THE COURT:

In the matter of Daniel Steven Jenkins on Habeas Corpus, S068655, this court's order of July 14, 1999, appointing Judge John Fisher of the Los Angeles County Superior Court to serve as referee is vacated.

It is ordered that the Honorable Curtis Rappe of the Los Angeles County Superior Court is appointed to serve as referee. The referee is directed to hold, after proper notice to the parties, an evidentiary hearing to determine whether Daniel Steven Jenkins is mentally competent to withdraw his petition for writ of habeas corpus, applying the standard set out by the United States Supreme Court in *Rees v. Payton* (1966) 384 U.S. 312, as follows: "whether [the prisoner] has capacity to appreciate his position and make a rational

choice with respect to continuing or abandoning further litigation or on the other hand whether he is suffering from a mental disease, disorder, or defect which may substantially affect his capacity . . . .” (*Id.* at p. 314.) The referee also shall make findings on the question whether the prisoner has made a knowing, intelligent, and voluntary waiver of his right to proceed. (See *Whitmore v. Arkansas* (1990) 495 U.S. 149, 165.) The Attorney General and counsel appointed for Jenkins, Mr. Michael Snedeker, may participate in the hearing. Separate counsel may be appointed for the prisoner if he so requests. It is contemplated that experts in the field of psychiatry and psychology may be appointed to examine and test the prisoner and that such experts may appear at the hearing to offer opinion evidence. (See *Rees v. Payton*, *supra*, 384 U.S. at pp. 313-314; *Mason v. Vasquez* (9th Cir. 1993) 5 F.3d 1220, 1221-1224.) The referee shall make a finding whether Jenkins’s competence is established by a preponderance of the evidence. (*Mason v. Vasquez*, *supra*, 5 F.3d at p. 1225.)

It is further ordered by this court that as soon as the referee has made findings pursuant to this order, he shall transmit the record of the hearing, including all exhibits thereto, and the findings and opinion of the referee, directly to this court for further proceedings.

S076438      In re Tauno Waidla  
                         on  
                         Habeas Corpus

The petition for writ of habeas corpus is denied on the following grounds:

All claims are denied on the merits.

The following claims are each denied on the ground that it was raised and rejected on appeal: Claim IX, to the extent that it is based on the record on appeal; and Claim XI, to the extent that it asserts error on the part of the superior court. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Harris* (1993) 5 Cal.4th 813, 829-841.)

Mosk, J., and Brown, J., would deny the petition solely on the merits.



1st Dist. Robert H. Overly et al., Respondents  
A077665 v.  
Div. 3 Ingalls Shipbuilding Incorporated, Appellant  
S082327 The request for judicial notice is granted.  
Appellant's petition for review DENIED.  
The request for an order directing depublication of the opinion is  
DENIED.

1st Dist. People, Respondent  
A077790 v.  
Div. 2 Albert Soria, Appellant  
S081841 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A077922 v.  
Div. 1 Robert Lee Macshate et al., Appellants  
S081740 Appellants' petitions for review DENIED.

1st Dist. People, Respondent  
A078429 v.  
Div. 4 Adelyn J. Lee, Appellant  
S081826 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A079134 v.  
A083670 Michael Edward Tillman, Appellant  
Div. 2 -----  
S081814 In re Michael Edward Tillman on Habeas Corpus  
Appellant's petition for review DENIED.  
Kennard, J., and Brown, J., are of the opinion the petition should  
be granted.

1st Dist. People, Respondent  
A080556 v.  
Div. 3 Alonzo D. Bey, Appellant  
S082590 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A081561 v.  
Div. 3 David Matheson Thomas, Appellant  
S082540 Appellant's petition for review DENIED.

1st Dist. A082400 Div. 4 S082545	People, Respondent v. Gasper Abbate III, Appellant Appellant's petition for review DENIED.
1st Dist. A082513 Div. 2 S081587	Heriberto Uriarte, Appellant v. United States Pipe and Foundry Company, Respondent Petitions for review DENIED.
1st Dist. A082849 Div. 1 S082099	Howard Marcus Lerch, Appellant v. Contra Costa Properties Inc. et al., Respondents Appellant's petition for review DENIED. The request for an order directing publication of the opinion is DENIED.
1st Dist. A083168 Div. 1 S082244	Kathleen M. Gibbs, Appellant v. American Airlines Incorporated, Respondent Appellant's petition for review DENIED. The request for an order directing depublication of the opinion is DENIED.
1st Dist. A083295 Div. 5 S082648	People, Respondent v. Jody Tyrone Gordon, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted.
1st Dist. A085603 Div. 1 S082589	People, Respondent v. Abdullah W. Mustafaa, Appellant Appellant's petition for review DENIED.
1st Dist. A087829 Div. 3 S081793	In re Emilio Mendoza on Habeas Corpus Petition for review DENIED.

1st Dist. Washington Mutual Bank et al., Petitioners  
A088024 v.  
Div. 5 San Francisco County Superior Court, Respondent  
S081945 Rene Manzanarez, Real Party in Interest  
Petition for review DENIED.

1st Dist. Donald Armour et al., Petitioners  
A088407 v.  
Div. 3 San Francisco County Superior Court, Respondent  
S082671 People, Real Party in Interest  
Petition for review DENIED as moot.

1st Dist. Fern Laethem et al., Petitioners  
A088591 v.  
Div. 3 San Francisco County Superior Court, Respondent  
S083083 Jamilla A. Moore, Real Party in Interest  
Application for stay and petition for review DENIED.

2nd Dist. Orlando Aliberti, Appellant  
B115453 v.  
Div. 5 Allstate Insurance Company et al., Respondents  
S082315 Respondents' petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.  
The requests for an order directing depublication of the opinion  
are DENIED.

2nd Dist. People, Respondent  
B116910 v.  
Div. 7 Victor Berumen, Appellant  
S082290 Appellant's petition for review DENIED.

2nd Dist. Joseph A. Saunders et al., Appellants  
B117061 v.  
Div. 5 Weissburg & Aronson et al., Respondents  
S082260 Petition for review DENIED.

2nd Dist. Jose Gonzalez et al., Appellants  
B117250 v.  
Div. 2 Gruma Corporation, Appellant  
S082281 Noel A. Obiora, Appellant  
Petition for review DENIED.

2nd Dist. Joyce Murchison, Appellant  
B117791 v.  
Div. 2 Donald D. Bell et al., Respondents  
S081951 Appellant's petition for review DENIED.

2nd Dist. J. Christopher Landers, Appellant  
B118013 v.  
Div. 1 Board of Trustees of the California State University, Respondent  
S081857 Appellant's petition for review DENIED.  
The request for judicial notice and the request for an order directing publication of the opinion are denied.

2nd Dist. People, Respondent  
B118312 v.  
Div. 2 Jemahl V. Haver, Appellant  
S081691 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B118559 v.  
Div. 2 Donald Lewis Levine, Appellant  
S081614 Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent  
B118900 v.  
Div. 1 Dung T. Tran et al., Appellants  
S082654 Appellants' petition for review DENIED.

2nd Dist. Catherine Convy, Appellant  
B118939 v.  
Div. 1 TIG Insurance Company, Respondent  
S082043 Appellant's petition for review DENIED.

2nd Dist. Dennis L. McGrew et al., Appellants  
B119109 v.  
Div. 4 Anthony Spignese et al., Respondents  
S082436 Appellants' petition for review DENIED.

2nd Dist. B120022 Div. 5 S082568	Judith S. Fogel, Respondent v. National Life Insurance Company of Vermont et al., Appellants Appellants' petition for review DENIED.
2nd Dist. B120266 Div. 4 S082162	Richard Ziman et al., Appellants v. Fireman's Fund Insurance Company, Respondent Appellants' petition for review DENIED.
2nd Dist. B120490 Div. 6 S081955	People, Respondent v. Frederick Douglas Hoffman, Appellant Appellant's petition for review DENIED.
2nd Dist. B120730 Div. 4 S081756	People, Respondent v. Charles Hampton et al., Appellants Appellants' petitions for review DENIED.
2nd Dist. B120826 Div. 1 S081866	People, Respondent v. Jesus Allala Santellana, Appellant Respondent's petition for review DENIED.
2nd Dist. B120910 Div. 3 S082470	People, Respondent v. Jason L. Nicks, Appellant Appellant's petition for review DENIED.
2nd Dist. B120964 Div. 7 S081618	People, Respondent v. Kevion Lyman, Appellant Appellant's petition for review DENIED.
2nd Dist. B120984 Div. 2 S082469	People, Respondent v. Michael Hardy, Appellant Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B121512 v.  
Div. 3 Ramon Mendoza et al., Appellants  
S082443 Appellants' petitions for review DENIED.

2nd Dist. Eric Y. Knipe, Appellant  
B122225 v.  
Div. 7 Washington Square Capital et al., Respondents  
S082491 Appellant's petition for review DENIED.

2nd Dist. Guy Dean et al., Appellants  
B122378 v.  
Div. 7 State of California, Respondent  
S082462 Appellants' petition for review DENIED.  
The request for an order directing publication of the opinion is DENIED.

2nd Dist. People, Respondent  
B122800 v.  
Div. 4 Salvador A. Herrera et al., Appellants  
S081988 Appellants' petitions for review DENIED.  
Mosk, J., Werdegarr, J., and Chin, J., are of the opinion the review should be granted.

2nd Dist. People, Respondent  
B122814 v.  
Div. 4 Marlon De La Torre, Appellant  
S082538 Appellant's petition for review DENIED.

2nd Dist. James Real, Respondent  
B123079 v.  
Div. 4 City of Compton, Appellant  
S082177 Respondent's petition for review DENIED.  
Mosk, J., and Kennard, J., are of the opinion the petition should be granted.

2nd Dist. Mary McFadden, Appellant  
B123127 v.  
Div. 3 California State Personnel Board  
S082571 Department of Consumer Affairs, Respondent  
Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B123139 v.  
Div. 3 Ricky Reginald Montoya, Appellant  
S082616 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B123522 v.  
Div. 1 Terrance Christopher Rochon, Appellant  
S082549 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B123960 v.  
Div. 7 Marques D. Hamilton, Appellant  
S082433 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B124238 v.  
Div. 2 Ameer R. Fountano, Appellant  
S081573 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B124339 v.  
Div. 4 Bertrand Washington, Appellant  
S082531 Appellant's petition for review DENIED.

2nd Dist. Marjorie Harris, Appellant  
B124677 v.  
Div. 5 Space Walk Sales Incorporated, Respondent  
S082233 Respondent's petition for review DENIED.  
The request for an order directing publication of the opinion is  
DENIED.

2nd Dist. People, Respondent  
B124811 v.  
Div. 5 Quincey Lee Mosley, Appellant  
S081981 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B124857 v.  
Div. 7 Deborah Mercer, Appellant  
S082432 Petitions for review DENIED.

2nd Dist. B124906 Div. 3 S082435	People, Respondent v. Elmer Leroy Ramzy, Appellant Appellant's petition for review DENIED.
2nd Dist. B124964 B128730 Div. 5 S081762	People, Respondent v. Matthew Eric Toledo, Appellant ----- In re Matthew Eric Toledo on Habeas Corpus And Companion Case Appellant's petition for review DENIED.
2nd Dist. B125319 Div. 7 S082135	People, Respondent v. Elizabeth Barrios et al., Appellants Appellants' petitions for review DENIED.
2nd Dist. B125447 Div. 6 S081779	People, Respondent v. Alberto Calzado Diaz, Appellant Appellant's petition for review DENIED.
2nd Dist. B126345 Div. 1 S082552	People, Respondent v. Ramesse Kinan Gamble, Appellant Appellant's petition for review DENIED.
2nd Dist. B126471 Div. 4 S082604	People, Respondent v. Jamie Hernandez, Appellant Appellant's petition for review DENIED.
2nd Dist. B126495 Div. 6 S082556	People, Respondent v. Joseph David Brown, Appellant Appellant's petition for review DENIED.



2nd Dist. People, Respondent  
B126639 v.  
Div. 7 Jose Luis Flores, Appellant  
S082615 Appellant's petitions for review DENIED.

2nd Dist. People, Respondent  
B127191 v.  
Div. 1 Robert F. Parish, Appellant  
S082523 Petitions for review DENIED.

2nd Dist. People, Respondent  
B127715 v.  
Div. 6 Tenaj Nicole McPherson, Appellant  
S082585 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B127844 v.  
Div. 6 Jesus Lemus, Appellant  
S082419 Appellant's petition for review DENIED.

2nd Dist. People, Appellant  
B127865 v.  
Div. 4 Keith Ellis Gaston, Respondent  
S082293 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B128327 v.  
Div. 1 Eric Proctor, Appellant  
S082603 Appellant's petition for review DENIED.

2nd Dist. Ring Trading Corporation, Appellant  
B128414 v.  
Div. 7 City of Santa Monica, Respondent  
S082113 Mountain View Mobile Inn Residents Association Inc. et al.,  
Appellants  
Petition for review DENIED.  
The request for an order directing partial publication of the  
opinion is DENIED.

2nd Dist. B128703 Div. 4 S082553	People, Respondent v. Donald E. Murdaugh, Appellant Appellant's petition for review DENIED.
2nd Dist. B128822 Div. 1 S082420	People, Respondent v. Ronald Murphy, Appellant Appellant's petition for review DENIED.
2nd Dist. B129592 Div. 1 S082490	People, Respondent v. Phuong Tran, Appellant Appellant's petition for review DENIED.
2nd Dist. B129996 Div. 2 S082522	In re Isaura G., a Person Coming Under the Juvenile Court Law ----- Los Angeles County Dept. of Children and, etc. Respondent v. Arnulfo G., Appellant Petition for review DENIED.
2nd Dist. B130204 Div. 4 S082018	In re Eddie O. Gilmore on Habeas Corpus Petition for review DENIED on the merits.
2nd Dist. B131179 Div. 6 S082504	Maria B., Petitioner v. Santa Barbara County Superior Court, Respondent Santa Barbara County Child Protective Services et al., Real Parties in Interest Petition for review DENIED.
2nd Dist. B133209 Div. 2 S082130	Miller Brothers Investment et al., Petitioners v. Los Angeles County Superior Court, Respondent Laura Lee Custodio et al., Real Parties in Interest Respondent's motion to strike denied. Petition for review DENIED.

2nd Dist. Robinsons-May, Petitioner  
B133762 v.  
Div. 1 Workers' Compensation Appeals Board, Respondent  
S082460 Transito Molina, Respondent  
Petition for review DENIED.

2nd Dist. In re Edwin D. McMillan  
B134356 on  
Div. 6 Habeas Corpus  
S081818 Petition for review DENIED.

2nd Dist. BNY Financial Corporation, Petitioner  
B134559 v.  
Div. 4 Los Angeles County Superior Court, Respondent  
S081938 Coloramerica Textile Processing Incorporated, Real Party in Interest  
Petition for review DENIED.

2nd Dist. Feliciano Vargas, Petitioner  
B134620 v.  
Los Angeles County Superior Court, Respondent  
S082202 Kelly Ann Vargas, Real Party in Interest  
Petition for review DENIED.

2nd Dist. Andre Brim, Petitioner  
B134775 v.  
Div. 3 Los Angeles County Superior Court, Respondent  
S082468 People, Real Party in Interest  
Petition for review DENIED.

2nd Dist. Sandi Dawn Nieves, Petitioner  
B134858 v.  
Div. 2 Los Angeles County Superior Court, Respondent  
S082009 People, Real Party in Interest  
Petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. National Union Fire Insurance Co. of Pittsburg et al., Petitioners  
B135135 v.  
Div. 7 Los Angeles County Superior Court, Respondent  
S082628 City of Los Angeles, Real Party in Interest  
Petition for review DENIED.

2nd Dist. Pierlite Pty. Ltd., Petitioner  
B135426 v.  
Div. 5 Los Angeles County Superior Court, Respondent  
S082646 Myron Kahn et al., Real Parties in Interest  
Petition for review DENIED.

2nd Dist. John V. Colen, Appellant  
B135888 v.  
Div. 2 Global Investments, LLC, Respondent  
S083310 Petition for review DENIED.

2nd Dist. John Peterson, Petitioner  
B135976 v.  
Div. 5 Los Angeles County Superior Court, Respondent  
S083096 Davco Industries, Inc. Real Party in Interest  
Application for stay and petition for review DENIED.

2nd Dist. Jana Anderson, Appellant  
B136111 v.  
Div. 5 Patricia L. Anderson, Respondent  
S083361 Application for stay and petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

3rd Dist. Nicholas Casella, Appellant  
C025509 v.  
S082632 Allied Property and Casualty Insurance Company, Respondent  
Petition for review DENIED.

3rd Dist. People, Respondent  
C028086 v.  
S081830 Alfred Anthony Garcia et al., Appellants  
Appellants' petitions for review DENIED.

3rd Dist. People, Respondent  
C028294 v.  
S081828 Ernest Leonard Detore, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C028605 v.  
S081894 Kristel Marie Hart, Appellant  
Appellant's petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted.

3rd Dist. William Schatz et al., Respondents  
C028629 v.  
S077217 Franchise Tax Board, Appellant  
Petition for review DENIED.

3rd Dist. People, Respondent  
C028699 v.  
S082618 James Darnell Smith, Appellant  
Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

3rd Dist. People, Respondent  
C029042 v.  
S082083 Floyd Lee McKenzie, Appellant  
Appellant's petition for review DENIED.

3rd Dist. Arlet Allen Wyant, Appellant  
C030075 v.  
S082701 Mark L. Zida, Respondent  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C031948 v.  
S082584 Roger Lee Barton, Appellant  
Appellant's petition for review DENIED.

3rd Dist. In re Peter Raymond Muscovich  
C033007 on  
S082598 Habeas Corpus  
Petition for review DENIED.

3rd Dist. Ken Gorfkle, Petitioner  
C033557 v.  
S082595 San Joaquin County Superior Court, Respondent  
Frederick Lewis et al., Real Parties in Interest  
Petition for review DENIED.

4th Dist. People, Respondent  
D029871 v.  
Div. 1 Luis Ramon Aparicio, Appellant  
S081939 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D029947 v.  
Div. 1 Jeffrey Jennings, Appellant  
S082743 Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent  
D030140 v.  
Div. 1 Previn Lamar Walton, Appellant  
S082669 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D030249 v.  
Div. 1 Brian Harold Nicholas, Appellant  
S082385 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D030299 v.  
Div. 1 Mark A. Madrigal, Appellant  
S082170 Appellant's petition for review DENIED.  
Mosk, J., Werdegarr, J., and Chin, J., are of the opinion the petition should be granted.

4th Dist. Daniel Franc, Appellant  
D030619 v.  
Div. 1 Joel Snyder, Respondent  
S082530 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D030656 v.  
Div. 1 Andrew James Breer, Appellant  
S082621 Respondent's petition for review DENIED.

4th Dist. People, Respondent  
D031218 v.  
Div. 1 Carl Steven Hudson, Appellant  
S082692 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D031449 v.  
Div. 1 Debbie M. Solarez, Appellant  
S082562 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D031773 v.  
Div. 1 Charles William Gibbs, Appellant  
S082613 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D032038 v.  
Div. 1 Charles Earl Gray, Appellant  
S082348 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D032123 v.  
Div. 1 Charles G. Abdelnour, Respondent  
S081428 City of San Diego et al., Real Parties in Interest  
Appellant's petition for review DENIED.  
The motion to dismiss and the request for judicial notice are denied.  
The request for an order directing partial publication of the opinion is DENIED.

4th Dist. People, Respondent  
E020935 v.  
Div. 2 Luther Lathron Walker, Appellant  
S082440 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E021864 v.  
Div. 2 Michael George Nugent, Appellant  
S081963 Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent  
E021906 v.  
Div. 2 Benjamin Cloyd, Jr., Appellant  
S082724 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E021919 v.  
Div. 2 Carlos Anthony Orosco, Appellant  
S082503 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E022128 v.  
Div. 2 Jerald D. Gazaway, Appellant  
S082005 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E022138 v.  
Div. 2 David Castaneda, Appellant  
S082306 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E022371 v.  
Div. 2 Raymond Lushawn Nelson, Appellant  
S082652 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E022675 v.  
Div. 2 Gilbert Raymond Garcia, Appellant  
S082494 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E022876 v.  
Div. 2 Francisco Manuel Jose Jimenez, Appellant  
S082683 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E022878 v.  
E023934 Cecilo James, Appellant  
Div. 2 -----  
S081569 In re Cecilo James on Habeas Corpus  
Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E022985 v.  
Div. 2 Cory Dean Runge, Appellant  
S082366 Appellant's petition for review DENIED.



4th Dist. People, Respondent  
E023046 v.  
Div. 2 James Guzman, Appellant  
S082519 Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent  
E023086 v.  
E024500 Rick George Brinkman, Appellant  
Div. 2 -----  
S082532 In re Rick George Brinkman on Habeas Corpus  
Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E023272 v.  
Div. 2 Glenn Allen West, Appellant  
S082466 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E023486 v.  
Div. 2 Kenneth Bernard Polk, Appellant  
S082725 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E023501 v.  
Div. 2 Patrick Joseph Soward, Appellant  
S082422 Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.  
Kennard, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent  
E023885 v.  
Div. 2 Joseph Schavers, Appellant  
S082529 Appellant's petition for review DENIED.

4th Dist. Fontana Police Department, Respondent  
E023958 v.  
Div. 2 Pedro A. Villegas-Banuelos, Appellant  
S082650 Respondent's petition for review DENIED.

4th Dist. Roger Gomez, Petitioner  
E025195 v.  
Div. 2 Riverside County Superior Court, Respondent  
S081832 Larry Smith, Real Party in Interest  
Petition for review DENIED.

4th Dist. In re Ronald Teran Gurrola  
E025387 v.  
Div. 2 Habeas Corpus  
S082572 Petition for review DENIED.

4th Dist. Berg Electric Company, Petitioner  
E025412 v.  
Div. 2 Workers' Compensation Appeals Board, Respondent  
S082107 USA Casualty, Respondent  
Petition for review DENIED.

4th Dist. People ex rel. Allstate Insurance Company, Petitioner  
E025511 v.  
Div. 2 San Bernardino County Superior Court, Respondent  
S082012 Paul E. Harnitchek, Real Party in Interest  
Petition for review DENIED.

4th Dist. Community Hospital of San Bernardino, Petitioner  
E025667 v.  
Div. 2 San Bernardino County Superior Court, Respondent  
S082472 Natasha D. Simon, Real Party in Interest  
Petition for review DENIED.

4th Dist. George Blais et al., Appellants  
G019103 v.  
Div. 3 Reorganized Church of Jesus Christ of Latter Day et al.,  
S082078 Respondents  
Petition for review and request for judicial notice DENIED.

4th Dist. Thomas William Lanni et al., Appellants  
G019491 v.  
Div. 3 Capistrano Unified School District et al., Respondents  
S082661 Petition for review DENIED.

4th Dist.      Leo A. Fitzsimon, Appellant  
G020125      v.  
Div. 3      Wildman, Hegness & Walley Good et al., Respondents  
S082444      Appellant's petition for review DENIED.  
             The request for an order directing publication of the opinion is  
             DENIED.

4th Dist.      Richard Marshack, Respondent  
G020226      v.  
Div. 3      Baker & McKenzie et al., Appellants  
S081820      Respondent's petition for review DENIED.

4th Dist.      Debi French, Appellant  
G021482      v.  
Div. 3      County of Orange et al., Respondents  
S082505      Petition for review DENIED.  
             Brown, J., is of the opinion the petition should be granted.

4th Dist.      People, Respondent  
G021910      v.  
Div. 3      Gregory Jason Chandler et al., Appellants  
S081557      Appellants' petitions for review DENIED.

4th Dist.      People, Respondent  
G022616      v.  
Div. 3      Pio Promotor Velazquez, Appellant  
S082439      Appellant's petition for review DENIED.

4th Dist.      People, Respondent  
G023127      v.  
Div. 3      Stanley Louis Lopez, Appellant  
S082437      Appellant's petition for review DENIED.

4th Dist.      People, Respondent  
G023407      v.  
Div. 3      Lawrence Ernest Peterson, Appellant  
S082434      Appellant's petition for review DENIED.

4th Dist. In re Amairani L., a Person Coming Under the Juvenile Court Law  
G024248 -----  
Div. 3 Orange County Social Services Agency, Respondent  
S082497 v.  
Guillermo L. et al., Appellants  
Petition for review DENIED.

4th Dist. In re Eric A., a Person Coming Under the Juvenile Court Law  
G024413 -----  
Div. 3 Orange County Social Services Agency, Respondent  
S082176 v.  
Edward A., Appellant  
Petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted.

4th Dist. Hung Dzuong Vo, Petitioner  
G025874 v.  
Div. 3 Orange County Superior Court, Respondent  
S082783 People, Real Party in Interest  
Petition for review DENIED as moot.

5th Dist. People, Respondent  
F026881 v.  
S082132 Hurshel Williams, Appellant  
Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

5th Dist. People, Respondent  
F027238 v.  
S081923 Louis Phillip Fernandez Jr., Appellant  
Appellant's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.

5th Dist. People, Respondent  
F028502 v.  
S081725 Tommy Rey, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F028848 v.  
S082617 Frank William Trudeau, Appellant  
Appellant's petition for review DENIED.

5th Dist. F029374 S082649	People, Respondent v. Michael Donovan Stanford, Appellant Appellant's petition for review DENIED.
5th Dist. F030082 S082620	People, Respondent v. Daniel Amezcua Delgado, Appellant Appellant's petition for review DENIED.
5th Dist. F030214 S082641	People, Respondent v. Douglas L. Butler, Appellant Appellant's petition for review DENIED.
5th Dist. F031438 S082484	People, Respondent v. Raul Martinez, Appellant Appellant's petition for review DENIED.
5th Dist. F033301 S081741	Crisp Petroleum Environmental Inc. et al., Petitioners v. Workers' Compensation Appeals Board et al., Respondents Petition for review DENIED.
5th Dist. F033373 S082373	California Capital Insurance Group et al., Petitioners v. Fresno County Superior Court, Respondent Steven Mennicci, Real Party in Interest Real Party in Interest's petition for review DENIED.
5th Dist. F033731 S081827	In re Billy Joe Wright on Habeas Corpus Petition for review DENIED.
5th Dist. F033949 S082455	Modesto Irrigation District, Petitioner v. Stanislaus County Superior Court, Respondent Pacific Gas and Electric Company, Real Party in Interest Petition for review DENIED.

5th Dist. In re Ernesto G. Lira  
F033984 on  
S082446 Habeas Corpus  
Petition for review DENIED.

5th Dist. Mark Mengoni et al., Petitioners  
F034031 v.  
S082638 Fresno County Superior Court, Respondent  
Larry Braden et al., Real Parties in Interest  
Petition for review DENIED.

6th Dist. People, Respondent  
H016486 v.  
H018355 Brett Wayne Wofford, Appellant  
S081948 -----  
In re Brett Wayne Wofford on Habeas Corpus  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H017206 v.  
S081786 Robert Bradford Ellison et al., Appellants  
Appellants' petitions for review DENIED.

6th Dist. People, Respondent  
H018064 v.  
S081936 Rumel Angeles Rimando, Appellant  
Appellant's petition for review DENIED.  
Werdegarr, J., is of the opinion the petition should be granted.

6th Dist. People, Appellant  
H018080 v.  
S082145 Abelardo Naya Felarca, Respondent  
Appellant's petition for review DENIED.  
Kennard, J., and Chin, J., are of the opinion the petition should  
be granted.

The Reporter of Decisions is directed not to publish in the  
Official Appellate Reports the opinion in the above-entitled appeal,  
filed August 6, 1999, which appears at 74 Cal.App.4th 972. (Cal.  
Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

6th Dist. Joseph Kleitman et al., Petitioners  
H018276 v.  
S082447 Santa Clara County Superior Court, Respondent  
Gary B. Wesley, Real Party in Interest  
Real Party in Interest's petition for review DENIED.  
Mosk, J., is of the opinion the petition should be granted.  
The request for an order directing depublication of the opinion is  
DENIED.

6th Dist. People, Respondent  
H018327 v.  
S082481 Curtis Scott, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H018514 v.  
S082431 John Bernard Topper, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H018562 v.  
S082493 Adrian Simon, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H018749 v.  
S082117 Rodrigo Serrano, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H018770 v.  
S082164 John Michael Draper, Appellant  
Appellant's petition for review DENIED.

6th Dist. In re Steven J., a Person Coming Under the Juvenile Court Law  
H018857 -----  
S082611 People, Respondent  
v.  
Steven J., Appellant  
Appellant's petition for review DENIED.

6th Dist. In re Dominique H., a Person Coming Under the Juvenile Court Law  
H019529 -----  
S0882601 Santa Clara County Dept. of Family & Children's Svc., Respondent  
v.  
Mary H., Appellant  
Petition for review DENIED.

6th Dist. In re James P.  
H020440 on  
S082477 Habeas Corpus  
Petition for review DENIED.

1st Dist. Employers Insurance of Wausau, Petitioner  
A076474 v.  
Div. 1 San Francisco County Superior Court, Respondent  
S082123 International Paper Company et al., Real Parties in Interest  
The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.

1st Dist. Golden Gateway Center, Appellant  
A083297 v.  
S082567 S.F. Residential Rent Stabilization & Arbitration, Respondent  
The request for an order directing depublication of the opinion in  
the above entitled cause is DENIED.

1st Dist. Trader Joe's Company, Respondent  
A083723 on  
Div. 2 Progressive Campaigns et al., Appellants  
S082305 The request for an order directing depublication of the opinion in  
the above entitled cause is DENIED.

1st Dist. In re Selena R., a Person Coming Under the Juvenile Court Law  
A084243 -----  
Div. 1 San Mateo County Youth and Family Services, Respondent  
S081023 v.  
Alfonso R., Appellant  
The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.



1st Dist. Paul Hoffman, as Executor, etc. et al., Appellants  
A085214 v.  
Div. 5 Kathleen Connell as Controller, Respondent  
S082048 The request for an order directing depublication of the opinion in  
the above entitled cause is DENIED.

1st Dist. In re Clifton A. Bode  
A085447 on  
Div. 5 Habeas Corpus  
S082777 The request for an order directing depublication of the opinion in  
the above entitled cause is DENIED.

2nd Dist. California Commercial Bank, Respondent  
B104018 v.  
Div. 3 Prudential Insurance Company of American et al., Appellants  
S080085 The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.

2nd Dist. Los Angeles County Department of Children and, Respondent  
B122060 v.  
Div. 3 Christine W., Appellant  
S082367 Jocelyn P., a Minor  
The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.

2nd Dist. Shawn Taite, Appellant  
B122937 v.  
Div. 7 M. Ayse Gliksman, Respondent  
S080789 The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.

2nd Dist. In re Ebony O., a Person Coming Under the Juvenile Court Law  
B129764 -----  
Div. 5 Los Angeles County Dept. of Children & Family Svcs., Respondent  
S082160 v.  
Theresa C., Appellant  
The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.

2nd Dist. In re Briana C. and Joshua C., Persons Coming  
B130263 Under the Juvenile Court Law  
Div. 4 -----  
S081602 Eric C. and Renee C. et al., Petitioners  
v.  
Los Angeles County Superior Court, Respondent  
The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.

4th Dist. Michelle Walker, Appellant  
D030077 v.  
Div. 1 Scripps Health et al., Respondents  
S081320 The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.

4th Dist. Irene Gregory, Respondent  
D030834 v.  
D031518 State Board of Control, Appellant  
Div. 1 The request for an order directing depublication of the opinion in  
S081782 the above entitled cause is DENIED.

4th Dist. James L. Gagan, Respondent  
E021439 v.  
Div. 2 James E. Gouyd et al., Appellants  
S082357 The request for an order directing depublication of the opinion in  
the above entitled cause is DENIED.

S079901 In re the Accusation of Richard P. McWilliam  
Against Certain Attorney(s)  
Petition DENIED.

S081149 In re the Accusation of Thomas Sims  
Against Certain Attorney(s)  
Petition DENIED.

S081214 In re the Accusation of Merlin O. Susa  
Against Certain Attorney(s)  
Petition DENIED.

S081759 In re the Accusation of Frederick G. Voltz Jr.  
Against Certain Attorney(s)  
Petition DENIED.

- S082024      In re the Accusation of Lisa Gansebom  
Against Certain Attorney(s)  
Petition DENIED.
- S082071      In re the Accusation of Keith Robert Lugo  
Against Certain Attorney(s)  
Petition DENIED.
- S082387      In re the Accusation of Richard J. Rosasco  
Against Certain Attorney(s)  
Petition DENIED.
- S082402      In re the Accusation of Abbott Altwiji  
Against Certain Attorney(s)  
Petition DENIED.
- S082487      In re the Accusation of Mahesh Goel  
Against Certain Attorney(s)  
Petition DENIED.
- S082643      In re the Accusation of Michele T. Masdeo  
Against Certain Attorney(s)  
Petition DENIED.
- S082843      In re the Accusation of Hilda A. Simmonds  
Against Certain Attorney(s)  
Petition DENIED.
- S078962      Zubair M. Kazi et al., Appellants  
v.  
State Farm Fire and Casualty Company et al., Respondents  
Gary S. Smolker, Appellant  
On application of respondent State Farm Fire and Casualty  
Company and good cause appearing, it is ordered that the time to  
serve and file respondent's reply brief on the merits is extended to  
and including November 29, 1999.

S079768      In re Mathew Guy Musladin

              On  
              Habeas Corpus

              On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file the informal response is extended to and including November 19, 1999.

S004755      People, Respondent

Crim.                v.

25425      Tiequon Aundray Cox, Appellant

              Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for condemned prisoner Tiequon Aundray Cox, filed December 1, 1995, is hereby granted.

              The order appointing Sharon E. Jones as counsel of record for condemned prisoner Tiequon Aundray Cox, filed March 23, 1994, is hereby vacated.

              The Habeas Corpus Resource Center is hereby appointed as attorney of record for condemned prisoner Tiequon Aundray Cox. Counsel is appointed for purposes of post-conviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

S011960      People, Respondent

              v.

Cynthia Lynn Coffman and James Gregory Marlow, Appellants

              In conjunction with the order filed October 7, 1999, permitting Barry L. Morris to withdraw as counsel of record for death row inmate James Gregory Marlow for habeas corpus/executive clemency proceedings related to the automatic appeal now pending in this court, Mr. Morris is ordered to reimburse this court the sum of \$36,000. This order is without prejudice to Morris's ability to seek—upon adequate demonstration—credit for habeas corpus work already performed by Morris “that is determined by the court to be of value to the court.” (Fixed Fee Guideline 11 [“Court Action Upon Nonperformance of Work, and Reimbursement of Fees Upon Authorized Withdrawal of Appointed Counsel”], subpart B.)

S026614 People, Respondent

v.

James Gregory Marlow, Appellant

In conjunction with the order filed October 7, 1999, permitting Barry L. Morris to withdraw as counsel of record for death row inmate James Gregory Marlow for habeas corpus/executive clemency proceedings related to the automatic appeal now pending in this court, Mr. Morris is ordered to reimburse this court the sum of \$36,000. This order is without prejudice to Morris's ability to seek—upon adequate demonstration—credit for habeas corpus work already performed by Morris “that is determined by the court to be of value to the court.” (Fixed Fee Guideline 11 [“Court Action Upon Nonperformance of Work, and Reimbursement of Fees Upon Authorized Withdrawal of Appointed Counsel”], subpart B.)

S034110 People, Respondent

v.

Mark Christopher Crew, Appellant

Appellant's “Motion for Order Granting Leave to Preserve Testimony of Critical Witness” is denied. Appellant may file a petition for writ of habeas corpus, raising the proposed claim to which this motion relates, immediately. A second habeas corpus petition raising any remaining claims will not be barred as successive as long as it is filed in a timely manner.

Mosk, J., is of the opinion the motion should be granted.

S060500 People, Respondent

v.

Jonathan Daniel D'Arcy, Appellant

Appellant's application entitled “Execution Date Requested” is denied.

S072693 In re Michael Hill

On

Habeas Corpus

“Petitioner's Motion for Discovery of Files and Record,” filed August 4, 1999, seeking an order from this court granting petitioner discovery from the records and files of the California Appellate Project, the Office of the Alameda County District Attorney, and the Oakland Police Department, is denied. (People v. Gonzales (1990) 51 Cal.3d 1179, 1258.)

S079525 In re **Kathryn Jo Anne Dixon** on Discipline

Petition for writ of review denied.

It is hereby ordered that **Kathryn Jo Anne Dixon** be disbarred from the practice of law and that her name be stricken from the roll of attorneys. She is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar.

\*(See Business & Professions Code, § 6126, subd. (c).)

S080820 In re **Thomas A. Lacey** on Discipline

Petition for writ of review denied.

It is ordered that **Thomas A. Lacey** be suspended from the practice of law for four years, that execution of suspension be stayed, and that he be placed on probation for four years on condition that he be actually suspended for one year. He is also ordered to comply with the other conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its decision filed June 1, 1999. It is also ordered that he take and pass the Multistate Professional Responsibility Examination administered by the National Conference of Bar Examiners within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10.

\*(See Business & Professions Code, § 6126, subd. (c).)

**SUPREME COURT CALENDAR  
LOS ANGELES SESSION  
DECEMBER 8 and 9, 1999**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald Reagan State Office Building, 300 South Spring Street, 3rd Floor, North Tower, Los Angeles, California on December 8 and 9, 1999.

WEDNESDAY, DECEMBER 8, 1999 - 9:00 A.M.

S083194	Senate v. Bill Jones as Secretary of State; Costa
S078207	People v. Watson
S072524	Etcheverry v. TRI-AG Service Incorporated

1:30 P.M.

S059064	Lane v. Hughes Aircraft Company
S074951	People v. Hernandez
S073451	Los Angeles Alliance for Survival v. City of Los Angeles

THURSDAY, DECEMBER 9, 1999 - 9:00 A.M.

S073982	People v. Snyder
S062859	In the Matter of Rose on Discipline
S077360	People v. Tillman

1:30 P.M.

S074630	People v. Hatch
S077289	Lee v. Superior Court, County of Los Angeles; People
S077187	People v. Hester; In re Hester

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GEORGE  
Chief Justice

If exhibits are to be transmitted to this Court, counsel must comply with Rule 10(d), California Rules of Court.